

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

LA.App.No. 1263 of 2003

LAR.199/1999 of PRINCIPAL SUB COURT, NORTH PARAVUR

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APPELLANT/ 1ST RESPONDENT:

**STATE OF KERALA, REPRESENTED BY THE
DISTRICT COLLECTOR, ERNAKULAM.**

BY GOVERNMENT PLEADER SMT. LATHA THANKAPPAN.

RESPONDENTS/ CLAIMANT AND ADDL. 2ND RESPONDENT:

- 1. GEORGE S/O. JOSEPH, PADAYATTY HOUSE,
THURAVUMKARA, KANJOOR.**
- 2. KOCHI INTERNATIONAL AIRPORT SOCIETY,
ERNAKULAM, REPRESENTED BY ITS MANAGING DIRECTOR.**

**BY ADV. SRI. JOSEPH A. VADAKKEL
SRI.GEORGE KARITHANAM VARGHESE
SRI.V.J.JOHN
SRI.C.I.ABRAHAM
SRI.JOSE KURIAKOSE (VILANGATTIL)
SRI.N.N.SUGUNAPALAN, SC, KIAS LTD.**

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY
HEARD ON 12/11/2007 ALONG WITH L.A.A. 1298/2003 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

**L.A.A. NOs. 1263, 1298, 1346,
1374 & 1406 OF 2003**

**&
L.A.A. NOs. 379, 702, 785,
829 & 830 OF 2004**

Dated this the 12th day of November, 2007.

J U D G M E N T

Kurian Joseph, J.

These are appeals filed by the State/claimant aggrieved by the fixation of land value by the reference court. Acquisition is for the purpose of Kochi International Airport, Nedumbassery.

2. The reference court fixed the land value at 96%. It is seen that in similar matters, this Court in L.A.A Nos. 412/2001 and 290/2003 has reduced the land value to 45% over the value fixed by the Land Acquisition Officer.

Accordingly, the appeals filed by the acquisition authority are partly allowed. Claimants shall be entitled only to 45% enhancement over the value fixed by the Land Acquisition Officer. The appeal filed by the claimant is dismissed. However, in all these appeals it is clarified that in case the

claimants have not been granted statutory benefits including interest on solatium, they shall be granted the same.

**KURIAN JOSEPH
JUDGE**

**HARUN-UL-RASHID
JUDGE**

smp

**KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.**

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J U D G M E N T

12.11.2007